IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Writ Petition No.8509 of 2006

Shri Somnath Agnuram Gupta — Petitioner
Vs.
Shri Suresh Dattatraya Patil & anr. — Respondents

Mr.A.A.Garge for petitioner.
Ms.Gauri Godse for respondents.

CORAM: B.H.MARLAPALLE, J.

March 15, 2007.

P.C.

. This petition impugns the interlocutory order passed below Exhibit 5 in Civil Appeal No.46 of 2006 filed by the petitioner before the learned Addl. District Judge at Kalyan. The petitioner was heard by this Court on 21/12/2006 and this Court held that no fault could be found with the order challenged and, therefore, no interference therein was called for.

. However, so as to give some more time to the petitioner to pay the amount due to be recovered, notice was issued to the respondents, returnable on 8/1/2007. Ms.Godse, the learned counsel appearing for the respondents states that during the last about two months nothing has been paid whereas Mr.Garge, the learned counsel for the petitioner states that

the petitioner is economically weak and, therefore, he cannot make a commitment for payment of arrears within a fixed period so as to comply with the conditional sale granted by the lower appellate Court.

. The order passed on 21/12/2002 cannot be reviewed by me and, therefore, this petition which was impliedly rejected by the said order, is hereby rejected.

(B.H.MARL